

NO. 5:13-CR-197-FL-1


ORDER

The court has no authority to provide defendant legal advice concerning the BOP's calculation of good time credits under the First Step Act. To the extent defendant is seeking judicial review of the BOP's calculation of his good time credits, he must first exhaust his administrative remedies within the BOP and then, if dissatisfied with the BOP's final decision, file a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. See In re Vial, 115 F.3d 1192, 1194 n.5 (4th Cir. 1997) (en banc) (noting federal prisoner may challenge the BOP's execution of a sentence pursuant to § 2241); Timms v. Johns, 627 F.3d 525, 531 (4th Cir. 2010) (requiring exhaustion of alternative remedies before filing § 2241 petition); McClung v. Shearin, 90 F. App'x 444, 445 (4th

Cir. 2004) (“Federal prisoners must exhaust their administrative remedies prior to filing § 2241 petitions.”).

Based on the foregoing, the court DENIES defendant’s motion regarding good time credits (DE 115).

SO ORDERED, this the 20th day of August, 2019.



LOUISE W. FLANAGAN
United States District Judge